

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
CENTRAL DIVISION

UNITED STATES OF AMERICA,

CR

3:20-mj-21

Plaintiff,

vs.

CRIMINAL COMPLAINT AND
AFFIDAVIT

JEROME WHITE HORSE, JR. and
SAMUEL FRANCIS WHITE HORSE,

SECOND DEGREE MURDER

18 U.S.C. §§ 1153, 1111, and 2

Defendants.

I, the undersigned Complainant, state the following are true and correct to the best of my knowledge and belief:

On or about the 12th day of February, 2020, at Cherry Creek, in Ziebach County, in Indian county, in the District of South Dakota, the defendants,

JEROME WHITE HORSE, JR. and
SAMUEL FRANCIS WHITE HORSE,

Indians, did unlawfully, with malice aforethought, murder and aid and abet one another in the murder of a human being, Lawrence Lafferty, by beating him with a garden hoe, in violation of 18 U.S.C. §§ 1153, 1111, and 2.

I further state that this Criminal Complaint and Affidavit are based upon the following facts:

1. I am a Federal Bureau of Investigation (FBI) Special Agent (SA) currently assigned to the Minneapolis Division, Pierre Resident Agency (PRA), and have been employed by the FBI since June 20, 2010. My law enforcement training includes the FBI Agents Academy located at Quantico, Virginia,

receiving training in all matters related to criminal investigations including but not limited to: evidence collection, search and arrest warrants, and criminal procedures.

2. This Affidavit is based upon my personal knowledge, review of documents, discussions with law enforcement officers, and information received from other sources. I believe the information described in this Affidavit establishes probable cause in support of issuing an arrest warrant and a criminal complaint for Jerome White Horse, Jr. and Samuel Francis White Horse. The basis for my belief is set forth below. I have not included each and every fact known to me in this Affidavit, but only the facts necessary to establish probable cause for the aforementioned offense.

3. At approximately 9:43 p.m. on February 12, 2020, Winona Rooks called the Cheyenne River Sioux Tribe Law Enforcement Services (CRSTLES) to report that Lawrence Lafferty, a/k/a Larry Lafferty, had struck vehicles and a light pole while driving. During that call, Rooks stated she thought Larry was trying to run over someone and then stated, "oh no, they got him out and beating him up gee they are breaking out his windows." CRSTLES Officer Ronald Red Owl and Sergeant Ramon Marrufo were dispatched to the scene at Cherry Creek, South Dakota.

4. Officer Red Owl arrived and found Lafferty in the back seat of a vehicle and observed he was uncooperative at that time. Officer Red Owl observed damaged vehicles in the area and a pickup truck sitting in the yard of residence #261 6th Avenue, Cherry Creek, South Dakota. Officer Red Owl

observed the pickup truck had broken windows and a broken windshield and it looked like the windshield had been hit with an object.

5. While assisting Lafferty, Officer Red Owl noticed Lafferty had blood on his face and hair, but was uncooperative in allowing Officer Red Owl in assessing any other injuries. Officer Red Owl observed Lafferty to repeat statements and was uncooperative. Officer Red Owl first thought Lafferty may be intoxicated, but later during his interaction with him, Officer Red Owl suspected Lafferty may have a head injury based upon Lafferty's behavior.

6. As Sergeant Marrufo was assessing the scene and taking pictures, he observed a male, Jerome White Horse, Jr., standing nearby. Sergeant Marrufo asked what happened to Lafferty and how he got bloody. Jerome stated, "we did that." Jerome further advised that Lafferty was attempting to run Jerome and Samuel White Horse over, so they removed him from the pickup.

7. Officer Red Owl later interviewed Jerome White Horse, Jr. at his residence. Jerome stated he heard a loud boom outside his house and went out to see what had happened and saw that Larry Lafferty had struck their parked vehicle with his truck. Jerome said Lafferty tried to run him over. Jerome said he hit Lafferty. Jerome said Lafferty had blood on his face when he got out of the pickup truck.

8. Officer Red Owl and Sergeant Marrufo went to house #505 in Cherry Creek and spoke to Winona Rooks, Amani Rooks, and Cetan Wi Rooks. Cetan Wi said she saw Lafferty hit a light pole with his truck and then "hit into" residence #261. Amani said when she went outside, she saw Lafferty trying to

run over Samuel White Horse. Amani then saw Samuel and Jerome drag Lafferty out of the pickup truck and started beating him up. Amani said Lafferty's face was all bloody. Amani heard "Jr.," as in Jerome White Horse, Jr., say "I should've did this way long time ago, I should've fucked you up a long time ago." Amani said she saw that Samuel had something in his hand.

9. CRSTLES Detective Larry LeBeau informed your Affiant that witness Clyde Little Shield stated he saw from the window of his house smoke coming from the far side of Donna and Jerome White Horse, Jr.'s residence (known to me as residence #261 6th Avenue, Cherry Creek, South Dakota). Clyde drove his vehicle to the White Horse residence and saw Jerome and Samuel holding objects in their hands that looked like some sort of club or bat and they were hitting the truck's windows. Clyde saw whoever was driving the truck try to pull away from the house. Clyde said he thought it looked like the driver was trying to get away from the house. While walking towards residence #261, Clyde lost sight of the side of the truck because that side of the truck was dark. As he approached the house, Clyde saw Donna White Horse watching Samuel and Jerome from her porch. Clyde heard the truck's engine become quiet. Clyde then heard what sounded like someone or a person getting hit and it sounded like slapping noises. Clyde then saw Samuel and Jerome were walking towards the porch dragging a person like a dead deer. Clyde asked Jerome who the person was to which Jerome said it was "Larry."

10. Lafferty was taken by ambulance to the Indian Health Services Hospital in Eagle Butte, South Dakota, and then flown to a hospital in Rapid City, South Dakota, where he received treatment and underwent surgery.

11. SA Christopher Reinke, an investigator with the FBI in Rapid City, South Dakota, interviewed the attending nurse treating Lafferty. The nurse told SA Reinke that in his opinion, the wounds sustained by the victim to his skull were made with some type of blunt object and were not made by a person's fists. According to Lafferty's medical report, he sustained intracranial bleeding and shift.

12. On Friday, February 14, 2020, I and other law enforcement officers executed a federal search warrant to search the premises at #261 6th Avenue, Cherry Creek, South Dakota, belonging to Jerome. Amongst other items, I collected a jacket with red stains from the residence. I also collected a garden hoe, which was covered in red stains and pieces of broken glass, from the vehicle parked next to house #261 with license plate number 49D307.

13. On Monday, February 17, 2020, SA Reinke advised me that Lafferty was declared brain dead at 9:49 am Mountain Standard Time. Lafferty was removed from life support on February 18, 2020. Pathologist Donald Habbe, MD, is in the process of completing an autopsy of Lafferty's corpse and advised that Lafferty's preliminary cause of death was trauma to the head.

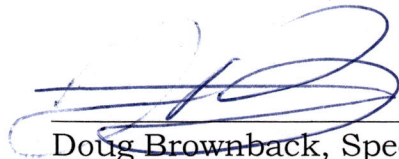
14. The alleged crime described in this Affidavit took place at Cherry Creek, Ziebach County, South Dakota, within the exterior boundaries of the Cheyenne River Sioux Indian Reservation, which is located in "Indian country"

within the provisions of 18 U.S.C. §§ 1151 and 1153. Jerome White Horse, Jr. is an "Indian" under the provision of 18 U.S.C. § 1153 in that he is an enrolled member of the Cheyenne River Sioux Tribe, a federally recognized tribe, with enrollment number CRU-008780 and 4/4 degree of Indian blood. Samuel Francis White Horse is an "Indian" under the provision of 18 U.S.C. § 1153 in that he is an enrolled member of the Cheyenne River Sioux Tribe, a federally recognized tribe, with enrollment number CRU-017900 and 4/4 degree of Indian blood.

15. Based on the above information and my training and experience, I respectfully submit there is probable cause to conclude Jerome White Horse, Jr. and Samuel Francis White Horse did aid and abet each other in murdering Lawrence Lafferty, in violation of 18 U.S.C. §§ 1153, 1111, and 2.

Warrant Request


16. Based on the above-mentioned information, I respectfully request this Court to issue an arrest warrant for Jerome White Horse, Jr. and Samuel Francis White Horse.


Doug Brownback, Special Agent,
Federal Bureau of Investigation

Sworn to before me and:

- ☒ signed in my presence.
☐ submitted, attested to, and acknowledged by reliable electronic means.

this 20th day of February, 2020.


Mark A. Moreno
United States Magistrate Judge

Penalties: Any term of years or life imprisonment, a \$250,000 fine, or both; up to 5 years of supervised release; violation could result in 5 additional years of custody on any such revocation; \$100 assessment to the Federal Crime Victims Fund; restitution.